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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,678	10/29/2003	Paul Steven Schranz		4240

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EXAMINER

WOO, STELLA L

ART UNIT PAPER NUMBER

2643

DATE MAILED: 11/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/694,678	Applicant(s) SCHRANZ, PAUL STEVEN	
	Examiner Stella L. Woo	Art Unit 2643	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15,17-19,21-25,27-30,32,35 and 39-47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15,17-19,21-25,27-30,32,35 and 39-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 May 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 15, 17-19, 21-22, 24-25, 28-29 are rejected under 35 U.S.C. 102(e) as being anticipated by Naidoo et al. (US 6,658,091 B1, hereinafter "Naidoo").

Regarding claims 15, 39-40, 42, 44, 46, Naidoo discloses a Voice/Video over Internet Protocol alarm apparatus (100) comprising:

a) a sensor for detecting an intruder (sensor 105 can detect intrusion as a magnetic contact switch, infrared sensor, or motion detector; col. 7, lines 17-22; col. 8, lines 24-28);

b) a peripheral device (smart camera comprises the functionality of video module 320 which analyzes data from sensors 105 to determine an alarm condition, digitizes and stores in memory video captured from the camera and audio captured from a microphone; col. 15, lines 25-45; col. 13, lines 26-59;

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c) a system control module (security gateway 115 connects with each smart camera via a home area network, col. 15, lines 27-40, stores in memory audio-video data received from each camera, col. 8, lines 31-35, and provides VoIP communication, col. 16, lines 42-46; col. 17, lines 25-27; col. 5, lines 17);

d) a modem (communications interface 340 provides connection to Internet 120; col. 6, lines 35-36; col. 14, lines 12-24);

the sensor detects the intruder and signals the peripheral device (smart camera receives data from intruder sensor 105; col. 15, lines 43-45), the peripheral device subsequently signals the system control module (smart camera communicates with security gateway 115 via a home area network; col. 15, lines 27-33), the system control module subsequently establishes an audio VoIP call to a remote device (a VoIP call is established via communications interface 340 to provide live audio to a remote monitoring client 133 during an alarm condition, col. 16, lines 43-46; col. 17, lines 24-28, with two-way audio communication, col. 16, lines 13-21; col. 18, lines 16-21).

Regarding claims 17-19, smart camera transfers video data to the security gateway 115 (col. 15, lines 28-40) which transmits the video data over Internet 120 using video and voice over IP protocol (col. 5, line 16; col. 6, lines 52-56).

Regarding claim 21, another peripheral device is audio station 107 which includes speaker 338 (Figure 3; col. 7, lines 36-40).

Regarding claim 22, user interface 350 includes a display device and keypad (col. 14, lines 25-37).

Regarding claim 24, the high-speed connection includes cable modem connection, xDSL connection or high-speed wireless connection (col. 5, lines 65-67).

Regarding claim 25, security gateway 115 is a processor-based device (col. 6, lines 46-47).

Regarding claim 28, smart cameras can be connected to security gateway 115 via a wired or wireless home area network (col. 15, lines 27-32).

Regarding claim 29, remote client 155 can be a pager, phone, or web-browser-based video client (col. 10, lines 18-29; col. 17, lines 43-45).

3. Claim 47 is rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al. (US 6,553,100 B1, hereinafter "Chen").

Chen discloses a premise alarm apparatus (intelligent alerting system) comprising:

a sensor means for detecting an alarm event (alert event detector 510 or 520 may be a burglary alarm system, a fire alarm system, etc.; col. 5, lines 28-33); and

a control means for responding to the alarm event (intelligent processor 100), the control means comprising:

means for monitoring the sensor means (alert event detector interface 160; Figure 2);

means for receiving presence information of a person (via alert destination determination device 170, the intelligent processor uses profile information and device status to determine the most appropriate destination device with which to notify an end-user of an alarm event; col. 2, line 60 – col. 3, line 28; col. 4, lines 51-59; col. 6, lines 33-40).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Naidoo in view of Stenhuis et al. (US 4,338,493, hereinafter “Stenhuis”).

Naidoo differs from claim 23 in that it does not specify a doorbell button. However, Stenhuis teaches the desirability of incorporating a doorbell button (6) within an emergency system so that visitors can be remotely monitored from an alarm center (col. 5, lines 24-49). It would have been obvious to an artisan of ordinary skill to incorporate such use of a doorbell button, as taught by Stenhuis, within the security system of Naidoo in order to remotely monitor a visitor depressing the doorbell button.

6. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Naidoo in view of Zellner et al. (US 6,567,502, hereinafter “Zellner”).

Naidoo differs from claim 27 in that although it teaches a wireless home network, such as an 802.11b network standard (col. 15, lines 30-32), it does not specify a Bluetooth connection. However, Zellner teaches the well known use of a Bluetooth connection as an alternative to the 802.11 protocol in an emergency monitoring system (col. 8, lines 5-21) such that it would have been obvious to an artisan of ordinary skill to incorporate the use of Bluetooth technology, as taught by Zellner, within the security system of Naidoo as an alternative to the 802.11 protocol used in Naidoo.

7. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Naidoo in view of Chong.

Naidoo differs from claim 30 in that although it provides for video and voice communication between the residence and a monitoring client 133 (col. 16, lines 40-46) or between the residence and remote client 155 (col. 10, lines 15-50), it does not teach a conferencing bridge between the residence and both clients. However, Chong teaches the desirability of providing a three-way audiovisual conference in a home security system (col. 11, lines 32-35) such that it would have been obvious to an artisan of ordinary skill to incorporate such a three-way conferencing bridge, as taught by Chong, within the security system of Naidoo in order to allow simultaneous communication among all three locations.

8. Claims 32 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naidoo in view of Schuster et al. (US 6,870,830, hereinafter "Schuster").

Naidoo differs from claim 32 in that it does not specify an SIP software stack. However, Naidoo does teach the use of an H.323 software stack (col. 8, lines 7-11), and Schuster teaches the well known use of the SIP protocol as an alternative to the H.323 protocol (col. 8, lines 14-20) such that it would have been obvious to an artisan of ordinary skill to incorporate such use of SIP software, as taught by Schuster, within the system of Naidoo.

Naidoo differs from claim 35 in that it does not specify instant messaging. However, Schuster teaches the well known use of instant messaging in a voice over IP system (col. 7, lines 6-26) such that it would have been obvious to an artisan of ordinary skill to incorporate such a well known messaging service, as taught by Schuster, within the IP security system of Naidoo.

9. Claims 41, 43, and 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naidoo in view of Chen.

Naidoo differs from claims 41, 43, and 45 in that it does not specify receiving presence information of a person, the presence information indicating the remote device to establish the VoIP call with during the alarm event. However, Chen teaches the desirability of receiving presence information (a profile indicates the most appropriate off-premises device with which to alert

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an end-user of an alarm event; col. 3, lines 1-28; col. 4, lines 52-59), the presence information indicating the remote device to establish the VoIP call (the off-premises device can be coupled via a VoIP network; col. 2, lines 32-38). It would have been obvious to an artisan of ordinary skill to incorporate such use of presence information, as taught by Chen, within the system of Naidoo in order to notify an end-user who is away from the premises of an alarm event at the premises.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shuster et al. (US 6,567,399) shows the H.323 protocol as including signaling for call set up (col. 6, lines 11-14).

Response to Arguments

11. Applicant's arguments filed September 12, 2005 have been fully considered but they are not persuasive. Applicant argues that "nowhere does Naidoo disclose a system control module of a premise alarm system at a premise that uses VoIP call signaling to establish a VoIP call with a remote device." The examiner disagrees. In Naidoo, the security gateway 115 supports VoIP communication with the media handler 415 of security system server 131 (col. 17, lines 16-27) using H.323 protocol (col. 8, line 8), which inherently includes call setup signaling (see Schuster et al., US 6,567,399, col. 6, lines 11-14).

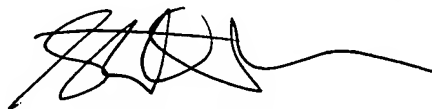
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12. Applicant's arguments with respect to claims 41, 43, 45, 47 have been considered but are moot in view of the new grounds of rejection.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella L. Woo whose telephone number is (571) 272-7512. The examiner can normally be reached on Monday-Tuesday, Thursday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'Stella L. Woo', with a long horizontal line extending to the right.

Stella L. Woo
Primary Examiner
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